

**RESOLUTION # \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND  
AUTHORIZING THE VACATION OF E STREET SOUTH OF MAIN STREET**

WHEREAS, the City of Wheatland possesses public right-of-way for the exiting public street and public utilities along E Street; and

WHEREAS, the City desires to vacate its interest in owning and maintaining a public street at the southerly end of E Street south of Main Street (an area approximately 85-ft long and 60-ft wide); and

WHEREAS, on November 27, 2007, the City Council of the City of Wheatland conducted a public hearing regarding the abandonment of said portion of E Street; and

WHEREAS, on November 27, 2007, the City Council of the City of Wheatland adopted Resolution No. 35-07 abandoning said portion of E Street while retaining a Public Utility Easement over the entire width for the existing right-of-way; and

WHEREAS, after said action by the City on November 27, 2007, it has been determined that the City may not possess said right-of-way in fee title and therefore will process the vacation of said right-of-way considering it as a public roadway and utility easement, reserving the current public utility easement over the entire area of said right-of-way, and preserving or conveying a 20-ft wide private easement to Assessor's Parcel Number 015-331-003; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of Wheatland that, in accordance with the Streets and Highways Code, the City hereby vacate its interest in owning and maintaining the public street right-of-way on that portion of E Street south of Main Street to its terminus (an area approximately 85-ft long and 60-ft wide), reserving the current public utility easement over the entire area of said right-of-way, and preserving or conveying a 20-ft wide private easement to Assessor's Parcel Number 015-331-003. Furthermore, Council directs the City Manager to take all necessary actions to prepare documents and record said vacation.

**PASSED AND ADOPTED** by the City Council of the City of Wheatland on the \_\_\_\_ day of January, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Enita Elphick, Mayor

Attest:

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Lisa J. Thomason, City Clerk